

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION

PLUMBERS AND PIPEFITTERS LOCAL	)	Civil Action No. 3:11-cv-00489
UNION NO 630 PENSION-ANNUITY	)	
TRUST FUND, Derivatively on Behalf of	)	Judge John T. Nixon
COMMUNITY HEALTH SYSTEMS, INC.,	)	
Plaintiff,	)	STIPULATION AND ORDER
	)	MODIFYING BRIEFING SCHEDULE
vs.	)	
	)	
WAYNE T. SMITH, et al.,	)	
	)	
Defendants,	)	
	)	
– and –	)	
	)	
COMMUNITY HEALTH SYSTEMS, INC.,	)	
a Delaware corporation,	)	
	)	
Nominal Party.	)	
	)	

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[Caption continued on following page.]

ROOFERS LOCAL NO. 149 PENSION	)	Civil Action No. 3:11-cv-00598
FUND, Derivatively on Behalf of	)	
COMMUNITY HEALTH SYSTEMS, INC.,	)	Judge John T. Nixon
	)	
Plaintiff,	)	
	)	
vs.	)	
	)	
WAYNE T. SMITH, et al.,	)	
	)	
Defendants,	)	
	)	
– and –	)	
	)	
COMMUNITY HEALTH SYSTEMS, INC.,	)	
a Delaware corporation,	)	
	)	
Nominal Party.	)	
	)	

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WHEREAS, beginning on May 24 and June 21, 2011, respectively, plaintiffs Plumbers & Pipefitters Local Union No. 630 Pension-Annuity Trust Fund and Roofers Local 149 Pension Fund (“plaintiffs”) filed shareholder derivative actions asserting claims on behalf of Community Health Systems, Inc. (“CHSI” or the “Company”) for alleged violations of law, including allegations that certain of the Company’s directors breached their fiduciary duties owed to CHSI;

WHEREAS, this Court entered an Order dated September 28, 2011, consolidating the above-captioned actions for all pretrial purposes and appointing lead counsel for plaintiffs;

WHEREAS, on May 20, 2011, Lambert Sweat (“Sweat”) issued a demand to inspect certain of the Company’s books and records pursuant to §220 of the Delaware General Corporation Law (the “Demand Letter”);

WHEREAS, the Company provided certain documents to Sweat in response to the Demand Letter;

WHEREAS, on October 5, 2011, Sweat filed a Verified Shareholder Derivative Complaint in the United States District Court for the Middle District of Tennessee (the “Sweat Action”) in which he references documents received from the Company in response to the Demand Letter;

WHEREAS, the Sweat Action asserts claims, derivatively on behalf of CHSI arising out of the same or substantially the same transactions or events as the above-captioned consolidated case;

WHEREAS, on November 29, 2011, this Court ordered the Sweat Action consolidated with the above-captioned actions;

WHEREAS, CHSI has agreed to produce to plaintiffs in the above-captioned action the same documents it produced to Sweat in response to the Demand Letter, subject to a confidentiality agreement (the “Document Production”);

WHEREAS, in light of the Document Production, the parties have met-and-conferred regarding an appropriate briefing schedule that would allow plaintiffs to review the Document

Production and amend the operative complaint with any new information arising out of the Document Production;

WHEREAS, in an effort to assure consistent rulings and decisions and the avoidance of unnecessary duplication of effort, all of the counsel for the parties in the above-referenced shareholder derivative actions enter into this stipulation.

NOW THEREFORE, IT IS HEREBY STIPULATED AND AGREED by the parties, through their respective counsel of record, as follows:

1. Plaintiffs shall file an Amended Consolidated Complaint within 45 days of the completion of the Document Production;
2. Defendants shall respond to the Amended Consolidated Complaint within 60 days after service of the Amended Consolidated Complaint;
3. In the event that defendants file any motions directed at the Amended Consolidated Complaint, the opposition brief to such motion shall be filed within 60 days of the motion and the reply brief shall be filed within 45 days of the opposition, unless otherwise agreed upon by the parties;
4. Counsel agree to meet-and-confer to select a **proposed** hearing date regarding any motion directed at the Amended Consolidated Complaint.

DATED: January 5, 2012

DAVIES, HUMPHREYS, HORTON  
& REESE  
WADE B. COWAN

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s/ Wade B. Cowan  
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DATED: January 5, 2012

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DATED: January 5, 2012

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Counsel for Nominal Defendant Community  
Health Systems, Inc.

\* \* \*

**ORDER**

IT IS SO ORDERED.

DATED: \_\_\_\_\_

  
\_\_\_\_\_  
THE HONORABLE E. CLIFTON KNOWLES  
UNITED STATES MAGISTRATE JUDGE